



ELECTION NEWS

A special informational bulletin
on the conduct of the November 2,
2004 general election

Michigan Department of State - Terri Lynn Land, Secretary of State

Issue No. 7

October 27, 2004

Form for Tallying and Certifying Votes Counted on Valid “Envelope” Ballots Provided

A form which has been developed for tallying and certifying votes counted on valid “envelope” ballots is provided with this newsletter (“Envelope Ballot Vote Certification Form”). Several important points regarding the use of the form follow:

- The form must be transmitted to the county canvassing board no later than the 7th calendar day after the election (November 9). If there are no “envelope” ballots issued in your city or township which must be counted, there is no need to transmit the “envelope” ballot vote certification form to the county canvassing board.
- As detailed in Issue No. 4 of *Election News*, a voter who is 1) issued an “envelope” ballot on election day and 2) unable to meet the identity and/or residency verification requirements in the polls can fax, mail or hand deliver the required document to the clerk within 6 calendar days after the election (by November 8). Given this allowance, the “envelope” ballot vote certification form cannot be completed and transmitted to the county level until the 6-day “envelope” ballot evaluation period has elapsed (unless, of course, you have no “envelope” ballots which are subject to the allowance).
- When the “envelope” ballot voter certification form is transmitted to the county level, it must be accompanied by a Provisional Ballot Report. Here, it merits note that if provisional ballots are issued in your jurisdiction which are counted in the polls – but no “envelope” ballots are issued in your jurisdiction – it is still necessary to forward a Provisional Ballot Report to the county level to document the number of provisional ballots which were issued and counted in the polls.

Plan Now for Successful Recounts!

While election officials need to be aware of the “tight” races in their area that may result in a recount, all elections should be approached with the view that a recount will be conducted.

A successful recount is a recount where all precincts are fully “recountable”; “unrecountable” precincts erode confidence in the integrity of the elections process and reflect badly on the performance of the election officials involved. The careful observance of the following reminders will help to ensure that if a recount is conducted in your jurisdiction, it will be a successful one. Remember: A recount is essentially a public review of how well the election officials and precinct boards involved have performed their duties!

- Precinct boards must make every effort to ensure that the number of ballots cast in their precinct matches the number of names entered in the poll book to ensure the “recountability” of the precinct after the election. If anything occurs during the course of the day which will affect the precinct’s “balance,” the election inspectors should make an appropriate notation on the remarks page of the poll book. For further information, see “*Accounting for Every Ballot Issued: New Emphasis on an Important Requirement*” in Issue No. 3 of *Election News*.
- All ballot containers used to administer the November 2 general election must have been approved by your local county canvassing board. Containers which do not carry an approval sticker expiring May 31, 2006 cannot be used to administer the election.
- All ballot containers used to store ballots must be properly sealed after the polls close. The seal number(s) must be properly recorded. For further information, see “*Ballot Security*” below.

Ballot Security

County and local recounts requested after the November 2 general election may not be conducted until written clearance is received through the Michigan Department of State’s Bureau of Elections. All ballots, voting equipment, programs and other materials placed under security must remain sealed until instruction is received through the Bureau. A memo on the conduct of county and local recounts will be forwarded to the county clerks throughout the state in late November.

CANVASS DOCUMENTS: The Board of County Canvassers is required to seal all statement of votes forms, tally sheets and poll books in envelopes upon the completion of the canvass. Red paper seals may be used to comply with the security requirement.

PAPER BALLOTS: All paper ballots must be sealed in ballot bags; the ballot bags must then be sealed in approved ballot containers. The serial numbers appearing on the seals used to secure the ballot bag and ballot container must be recorded in the Poll Book, on the statement of votes forms and on the certificates affixed to the ballot bag and ballot container.

PUNCH CARD BALLOTS: All program test materials and punch card ballots must be sealed in approved ballot containers. The serial number appearing on the seal used to secure the ballot container must be recorded in the Poll Book, on the statement of votes forms and on the certificate affixed to the ballot container.

OPTICAL SCAN BALLOTS: All program test materials and optical scan ballots must be sealed in an approved ballot container. The serial number appearing on the seal used to secure the ballot container must be recorded in the Poll Book, on the statement of votes forms and on the certificate affixed to the ballot container.

- If a two-sided ballot container is used to store optical scan ballots, both sides must be sealed and both seals must be recorded. (If one side of the container is permanently sealed, the precinct inspectors do not have to list the permanent seal if the number on the permanent seal is properly documented in the clerk's office.)
- If a tabulator ballot receptacle is used to store optical scan ballots, the top of the receptacle must be sealed with a security lid and any doors which provide access to the receptacle must be sealed even if the doors can be locked with a key. All seals must be properly recorded. (A tabulator ballot receptacle cannot be used to store optical scan ballots unless it passed a ballot container inspection carried out by your local county canvassing board. Tabulator ballot receptacles which do not carry a ballot container approval sticker expiring May 31, 2006 cannot be used to store optical scan ballots.)
- Programs removed from optical scan tabulators must be sealed in an approved ballot container. Programs cannot be erased or transferred to another electronic medium for extended retention until clearance is received from the Department of State's Bureau of Elections.

DIRECT RECORDING ELECTRONIC SYSTEMS: All program test materials and absent voter ballots must be sealed in approved containers. The serial number appearing on the seal used to secure the ballot container must be recorded in the Poll Book, on the statement of votes forms and on the certificate affixed to the ballot container. Programs (memory cartridges) removed from direct recording electronic systems and programs used to count absent voter ballots must be sealed in an approved ballot container. Programs cannot be erased or transferred to another electronic medium for extended retention until clearance is received from the Department of State's Bureau of Elections.

VOTING MACHINES: All voting machines must be sealed to prevent the entrance button from being operated. The serial number appearing on the seal used to secure the voting machine must be recorded in the Poll Book and on the statement of votes forms.

NVRA Data Collection

Rules promulgated by the Federal Election Commission to administer the National Voter Registration Act require the Secretary of State to provide the FEC with a detailed report on Michigan's implementation of the NVRA every two years. The next detailed report required of the Secretary of State is due March 31, 2005. In preparation for the submission of the report,

Michigan's city and township clerks will be forwarded a questionnaire on the required data immediately after the November 2 general election.

The period covered by the report began on November 6, 2002 (the day after the last November general election) and will end on November 2, 2004 (the date of the upcoming November general election). Please watch your mail for the survey form!